JCF **JeffpeymæntRothnFalle**d 05/08/200<u>8</u> USDS SDNY Attorney at Law 315 Broadway, Suite 200 **DOCUMENT** New York, NY 10007 ECTRONICALLY FILED (212) 227-2980; Cell: (516) 455-6873 LEAD CLASE Fax: (212) 591-6343 rothman.jcffrey@gmail.com 04CIV79ZZ (RJS) (TCF) May 2, 2008

BY FAX

The Honorable James C. Francis IV United States Magistrate Judge United States District Court for the Southern District of New York 500 Pearl Street - Room 1960 New York, NY 10007

> Coburn, et al. v. City of New York, et al., 05 Civ. 7623 (R.JS) (JCF); Re: Phillips, et al. v. City of New York, et al. 05 Civ. 7624 (RJS) (JCF); Sloan, et al. v. City of New York, et al., 05 Civ. 7668 (RJS) (JCF): Galitzer v. City of New York, et al., 05 Civ. 7669 (RJS) (JCF): Bastidas, et al. v. City of New York, et al., 05 Civ. 7670 (RJS) (JCF); Xu, et al. v. City of New York, et al., 05 Civ. 7672 (RJS) (JCF): Sikelianos v. City of New York, et al., 05 Civ. 7673(RJS) (JCF); Drescher v. City of New York, et al., 05 Civ. 7541 (RJS) (JCF); Manders, et al. v. City of New York, et al., 07 Civ. 7752 (RJS) (JCF); Jusick, et al. v. City of New York, et al., 07 Civ. 7683 (RJS) (JCF); Rigby v. City of New York, et al., 07 Civ. 7751 (RJS) (JCF)

Dear Judge Francis:

I write to respectfully request reconsideration of paragraph 14 of Your Honor's Order of April 18, 2008 (annexed hereto as Exhibit A), which denied plaintiffs' application to compel production of Police Officer Cordero's memo book with notations concerning duties related to the RNC unredacted.

Your Honor's Order stated that "there has been no showing that it [the memo book] was improperly redacted." The Court, however, overlooked the fact that Plaintiff's stated on page 7 of their reply letter to the Court of March 14, 2008 that PO Cordero's memo book was heavily redacted and did not cover the entire RNC period. Plaintiffs also annexed as Exhibit K to that letter the redacted memo book portion produced by Defendants in the Sikelianos case, which only included the entries for August 31, 2004 and not for the other days during the RNC policing period or any training or other entries related to the RNC. PO Cordero's redacted memo book that was annexed to that letter as Exhibit K is annexed hereto as Exhibit B, for the Court's convenience.

It has long been law of the case in the RNC cases that memo books must be provided in such a manner that "notations concerning duties related to the RNC are not redacted." See, paragraph 1 of Your Honor's April 3, 2007 Order in the Coburn RNC case and the other RNC

caseaser while IV-2076 600 riscle and Exed Dereumae in the bit Citied 05/02/2008 s the agree fing 2 officer for plaintiff Nikolas Sikelianos, and his memo book entries concerning the entire RNC period (and any other duties, like training sessions, related to the RNC) are clearly required to be produced pursuant to the Court's April 3, 2007 Order.

Plaintiffs therefore respectfully request reconsideration of paragraph 14 of Your Honor's Order of April 18, 2008, and respectfully request that the Court compel production by May 16, 2008 (the day other compliance with the Court's April 18th Order is due) of Police Officer Cordero's memo book with notations concerning duties related to the RNC unredacted.

I thank the Court for its consideration in this matter.

Sincerely yours,

Jeffrey A. Rothman [JR-0398]

cc: Fred Weiler, Esq. (by email)
James Mirro, Esq. (by email)
All RNC Counsel (by email)

Amplication demed. There is still no busis for assuming that the relacted portions of the memo book intumed relevant information

James C. Fran